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4 UNITED STATES DISTRICT COURT
5 WESTERN DISTRICT OF WASHINGTON
6 AT SEATTLE

7 TERRY L. CALLANDRET)

8 Petitioner,)

9 v.)

10 KAREN PORTIN,)

11 Respondent.)
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No. C09-173-RSL

ORDER DENYING MOTION
FOR AN EVIDENTIARY HEARING

13 This matter comes before the Court on *pro se* petitioner's "Motion Requesting an
14 Evidentiary Hearing" (Dkt. #30). As noted in respondent's brief (Dkt. #31), Magistrate Judge
15 Donohue's Report and Recommendation in this matter (Dkt. #26) finds plaintiff's federal claims
16 to be procedurally barred and plaintiff's only possible remaining claim to be a non-federal cause
17 of action. As such, there is no basis for an evidentiary hearing before this Court.

18 For the foregoing reasons, petitioner's motion is DENIED.

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20 Dated this 30th day of October, 2009.

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23 Robert S. Lasnik
24 United States District Judge
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